

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERRICE S. HOLMAN, on behalf of her minor
daughters G.H. and S.H.,

Plaintiff,

-against-

FAMILY COURT, *et al.*,

Defendants.

17-CV-7141 (CM)

ORDER

COLLEEN McMAHON, United States District Judge:

By order dated December 14, 2017, the Court dismissed without prejudice Plaintiff's complaint for failure to comply with the Court's October 30, 2017 order (ECF No. 2), directing Plaintiff to either pay the \$400.00 filing fees or submit a completed and signed request to proceed *in forma pauperis* ("IFP"), (ECF No. 3.) On February 13, 2018, Plaintiff filed a motion to reopen the case, and by order dated February 22, 2018, the Court denied Plaintiff's motion, (ECF No. 6.)

Six and one-half years later, on July 13, 2022, Plaintiff filed a notice of appeal (ECF No. 8), and a motion for an extension of time to appeal, (ECF No. 7). By Mandate issued on November 16, 2022, the Second Circuit dismissed Plaintiff's appeal for lack of jurisdiction. (ECF No. 9).

Because the Second Circuit issued a decision on Plaintiff's appeal, the Court dismisses as moot Plaintiff's motion for an extension of time to appeal (ECF No. 7).

CONCLUSION

Plaintiff's motion for an extension of time to appeal (ECF No. 7) is denied as moot.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 19, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written above a horizontal line.

COLLEEN McMAHON
United States District Judge